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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,990	03/13/2001	Jin Soo Lee	24286/81651	9375

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EXAMINER	
SHEPARD, JUSTIN E	
ART UNIT	**PAPER NUMBER**
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/803,990	LEE ET AL.	
	Examiner	Art Unit	
	Justin E. Shepard	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 June 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *39,41-43,45-48,50,51,53,54,56,57,60-65 and 67* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *39,41-43,45-48,50,51,53,54,56,57,60-65 and 67* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 39, 41-43, 45-48, 50, 51, 53, 54, 56, 57, 60-65, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozer in view of Schaffer in view of Chan.

Referring to claim 39, Ozer discloses a method implemented by an apparatus for processing multimedia content and information related to multimedia content consumption (column 4, lines 50-58), the method comprising:

receiving a multimedia program having a program identifier identifying the multimedia program (figure 3, boxes 320 and 330);

receiving content description about the multimedia program, the content description including a plurality of description elements (column 11, lines 47-61);

collecting information about consumption of multimedia content (figure 3, boxes 340 and 350), the collected information identifying a user action related to consumption of content in the multimedia program (figure 4, part 450);

storing a usage history in the apparatus (figure 3, box 350), the usage history including a user action list that includes a user action item (figure 4, part 400) corresponding to the user action (figure 4, part 450), the user action item including the program identifier and a link to a specific element of the content description about the multimedia program is located (figure 4, part 430), wherein the specific element of the content description than is related to the content consumed from the multimedia program in relation to the user action and the particular location is separate from the user action list (figure 4).

Ozer does not disclose a method using the usage history to generate user preference information including a user preference item and a preference value corresponding to the user preference item, wherein the user preference item corresponds to the specific element of the content description; and wherein the link to a particular location where a specific element is located.

In an analogous art, Schaffer teaches a method using the usage history to generate user preference information including a user preference item and a preference value corresponding to the user preference item, wherein the user preference item corresponds to the specific element of the content description (column 2, lines 64-66; column 3, lines 13-15; figure 4).

At the time of the invention it would have been obvious to one of ordinary skill in the art to add the user preference corresponding to the content

description, as taught by Schaffer, to the system disclosed by Ozer. The motivation would have been to allow the user preference to be updated without requiring a large amount of storage (Schaffer: column 3, lines 4-7).

Ozer and Schaffer do not disclose a method wherein the link to a particular location where a specific element is located.

In an analogous art, Chan teaches a method wherein the link to a particular location where a specific element is located (column 8, lines 17-21; figures 2A and 2B).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the html file location tags taught by Chan to the method disclosed by Ozer and Schaffer. The motivation would have been to use a known programming language with documented standards to lower development costs by not having to create a new API.

Claim 48, 54, and 64 are rejected on the same grounds as claim 39.

Referring to claim 41, Ozer discloses a method of claim 39, wherein the program identifier includes a title of the multimedia program (column 11, lines 53-55).

Claim 65 is rejected on the same grounds as claim 41.

Referring to claim 42, Ozer discloses a method of claim 39, wherein the user action item specifies an action time identifying a time of occurrence for the user action (figure 4, part 410).

Claims 50 and 56 are rejected on the same grounds as claim 42.

Referring to claim 43, Ozer discloses a method of claim 39, wherein the usage history specifies an observation period defining a time period for recording multimedia consumption (column 8, lines 64-65).

Claims 51 and 57 are rejected on the same grounds as claim 43.

Referring to claim 45, Ozer and Schaffer do not disclose a method of claim 39, wherein the link to the particular location is a URL.

In an analogous art, Chan teaches a method of claim 39, wherein the link to the particular location is a URL (column 8, lines 17-21; figures 2A and 2B).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the html file location tags taught by Chan to the method disclosed by Ozer and Schaffer. The motivation would have been to use a known programming language with documented standards to lower development costs by not having to create a new API.

Claims 53 and 67 are rejected on the same grounds as claim 45.

Referring to claim 46, Ozer discloses a method of claim 39, wherein the content description specifies an actor of the multimedia program (figure 4).

Referring to claim 47, Ozer discloses a method of claim 39, wherein the content description specifies a director of the multimedia program (figure 4).

Referring to claim 60, Ozer does not disclose a method of claim 39, further comprising: updating the user preference information based on the usage history.

Schaffer discloses a method of claim 39, further comprising: updating the user preference information based on the usage history (column 2, lines 64-66; column 3, lines 13-15; figure 4).

At the time of the invention it would have been obvious to one of ordinary skill in the art to add the user preference updating taught by Schaffer to the system disclosed by Ozer. The motivation would have been to allow the user preference to be updated without requiring a large amount of storage (Schaffer: column 3, lines 4-7).

Referring to claim 61, Ozer does not disclose a method of claim 39, wherein using the usage history to generate the user preference information includes using the reference to the content description; and wherein the link to a particular location where a specific element is located.

Schaffer discloses a method of claim 39, wherein the user preference item corresponds to at least a portion of the content description, and using the usage history to generate the user preference information includes using the reference to the content description (column 2, lines 64-66; column 3, lines 13-15; figure 4).

At the time of the invention it would have been obvious to one of ordinary skill in the art to add the user preference corresponding to the content description, as taught by Schaffer, to the system disclosed by Ozer. The

motivation would have been to allow the user preference to be updated without requiring a large amount of storage (Schaffer: column 3, lines 4-7).

Ozer and Schaffer do not disclose a method wherein the link to a particular location where a specific element is located.

In an analogous art, Chan teaches a method wherein the link to a particular location where a specific element is located (column 8, lines 17-21; figures 2A and 2B).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the html file location tags taught by Chan to the method disclosed by Ozer and Schaffer. The motivation would have been to use a known programming language with documented standards to lower development costs by not having to create a new API.

Claims 62 and 63 are rejected on the same grounds as claim 61.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JS

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